

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO.: 07-CR-30074-FL

DONALD DEHAR,

HON. PAUL V. GADOLA
MAG.JUDGE STEVEN D. PEPE

Defendant.

**ORDER FOR PSYCHOLOGICAL EXAMINATION TO
DETERMINE COMPETENCY OF DEFENDANT TO STAND TRIAL;
DEFENDANT'S PRESENT MENTAL CONDITION; AND EXISTENCE
OF INSANITY AT THE TIME OF THE OFFENSE**

The Defendant initially appeared before the Court on February 8, 2007, following his arrest on a complaint and warrant charging him with knowingly depositing in an authorized mail depository, to be sent by the United States Postal Service, letters addressed to other persons containing a threat to injure, in violation of 18: U.S.C. 876 (c). The Defendant was temporarily detained pending a detention hearing before the undersigned on February 12, 2007.

On February 12, 2007, the Defendant appeared before the Court for a detention hearing and preliminary examination hearing. At the hearing, the attorney for the Defendant expressed his concern regarding the mental condition of the Defendant. In view of the charge pending against him as well as the concern for the Defendant's mental state expressed by the attorneys in this matter, I conclude that there exists reasonable cause to believe that the Defendant may be suffering from a mental impairment which may render him incompetent to understand the nature of the charges against him. Therefore, based upon the information presented at the hearing, I hereby order that the Defendant undergo a mental examination in this matter.

IT IS HEREBY ORDERED that the order of temporary detention shall remain in effect. The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS FURTHER ORDERED that the Defendant undergo a psychological evaluation in order to assist the court in determining the Defendant's competency to stand trial; the existence of insanity at the time of the offense; and his present mental condition.

IT IS FURTHER ORDERED, that in accordance with 18 U.S.C. §4241(b), that a licensed psychologist/psychiatrist shall conduct a psychological examination of the defendant and file a report, pursuant to 18 U.S.C. §4247(b)(c), as to the Defendant's present mental condition; Defendant's mental competency to stand trial; and the existence of insanity at the time of the offense.

IT IS FURTHER ORDERED that the examination shall be conducted within **45 days**, and that a written report shall be submitted to the Court for review and filing within **10 days** thereafter.

IT IS FURTHER ORDERED that the costs for the evaluation shall be borne by the United States Marshal Service.

Dated: February 28, 2007

s/ Steven D. Pepe
STEVEN D. PEPE
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2007, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Robert Haviland, AUSA, David Koelzer, Esq., and I hereby certify that I have hand delivered/mailed by United States Postal Service the paper to the following non-ECF participants: U.S. Marshal, 600 Church St., Flint, MI, 48502, Pretrial Officer, 600 Church St., Flint, MI 48502

s/ James P. Peltier
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